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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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14 SAN FRANCISCO DIVISION

15 **ELIZABETH AIDA HASKELL,
REGINALD ENTO, JEFFREY PATRICK
LYONS, JR., and AAKASH DESAI, on
behalf of themselves and others similarly
situated,**

16 Plaintiffs,
17
18 v.
19

20 **EDMUND G. BROWN, JR., Attorney
General of California; EVA
STEINBERGER, Assistant Bureau Chief
for DNA Programs, California Department
of Justice,**

21 Defendants.
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24 09-cv-04779-CRB
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**STIPULATION CONTINUING DATE OF
INITIAL CASE MANAGEMENT
CONFERENCE; [PROPOSED] ORDER**

Action Filed: October 7, 2009

Defendants Edmund G. Brown Jr., Attorney General of California, Eva Steinberger,
Assistant Bureau Chief for DNA Programs, California Department of Justice (State Defendants)
and Plaintiffs Elizabeth Aida Haskell, Reginald Ento, Jeffrey Patrick Lyons, Jr., and Aakash
Desai, on behalf of themselves and others similarly situated, by and through their counsel of
record, hereby agree and stipulate as follows:

RECITALS

7 1. Plaintiffs filed a Class Action Complaint for Declaratory and Injunctive Relief on
8 October 7, 2009, and a First Amended Complaint on December 1, 2009. All Defendants have
9 been served with the operative complaint.

10 2. On December 1, 2009, Plaintiffs filed a Motion for Class Certification. The hearing
11 on Plaintiffs' Motion for Class Certification is currently scheduled for January 29, 2010 at 10:00
12 a.m.

13 3. On December 17, 2009, State Defendants filed a Motion to Dismiss the First
14 Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). The hearing on State
15 Defendants' Motion to Dismiss is currently scheduled for January 29, 2010 at 10:00 a.m.

16 4. On December 23, this Court issued its ruling denying Plaintiffs' request for a
17 preliminary injunction.

18 5. The initial case management conference in this case is currently scheduled for
19 January 22, 2010 at 8:30 a.m.

20 6. On January 4, 2010, Plaintiffs and State Defendants conducted their initial discovery
21 conference as required by Federal Rule of Civil Procedure 26(f). Plaintiffs and State Defendants
22 intend to file the discovery plan required by Rule 26(f) on January 15, 2010. Plaintiffs and State
23 Defendants also intend to make their initial disclosures as required by Rule 26(a) on January 15,
24 2010.

25 7. As Plaintiffs and State Defendants will appear on January 29, 2010 for their
26 respective Motion for Class Certification and Motion to Dismiss, and as some of the issues to be
27 discussed at the initial case management conference may be resolved during the course of the
28 hearing on these two motions, Plaintiffs and State Defendants jointly request that the Court move

1 the initial case management conference currently set for January 22, 2010 to January 29, 2010
2 after the conclusion of the hearing on these two motions.

3 NOW THEREFORE, Plaintiffs and State Defendants hereby stipulate and agree to the
4 following:

5 **AGREEMENT**

6 Subject to approval by this Court, all parties agree to conduct the initial case management
7 conference on January 29, 2010, following the conclusion on the hearing on the Motion for Class
8 Certification and Motion to Dismiss.

9 DATED: January 13, 2010

PAUL, HASTINGS, JANOFSKY & WALKER LLP

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11 By: _____ /s/ Eric A. Long
Eric A. Long

12 Attorneys for Plaintiffs
13 ELIZABETH AIDA HASKELL, REGINALD ENTO,
14 JEFFREY PATRICK LYONS, JR., and AAKASH
DESAI, on behalf of themselves and others similarly
situated

15 DATED: January 13, 2010

16 OFFICE OF THE ATTORNEY GENERAL

17 By: _____ /s/ Daniel J. Powell
Daniel J. Powell
18 Deputy Attorney General

19 Attorneys for Defendants
20 EDMUND G. BROWN JR., Attorney General of
21 California and EVA STEINBERGER, Assistant Bureau
Chief for DNA Programs, California Department of
Justice

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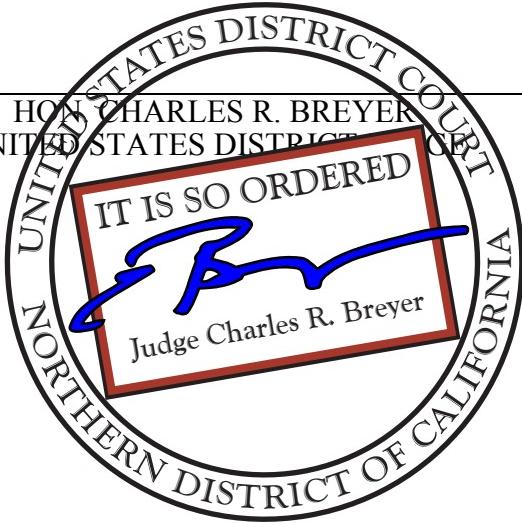
23 I attest that concurrence in the filing of this document has been obtained from Eric A. Long,
24 attorney for Plaintiffs.

25 By: /s/ Daniel J. Powell
Daniel J. Powell
26 Deputy Attorney General
27 Attorneys for State Defendants

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IT IS SO ORDERED.
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6 DATED: Jan. 15, 2010
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10 HON. CHARLES R. BREYER
11 UNITED STATES DISTRICT JUDGE
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